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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00261-01 HG
)	
Plaintiff,)	
)	SUPPLEMENT JOINT JURY
vs.)	INSTRUCTIONS; CERTIFICATE OF
)	SERVICE
JAMES TROIANO, (01))	
aka: "JOHN KLATT,")	
)	TRIAL DATE:
)	TIME: 9:00 a.m.
Defendants.)	JUDGE: Helen Gillmor
)	
_____)	

SUPPLEMENT JOINT JURY INSTRUCTIONS

The United States of America, through its undersigned counsel, and the above-named defendants, through counsel, respectfully submit Supplement Joint Jury Instructions, which include proposed joint jury instruction No. 9 to replace the

instruction regarding aiding and abetting, which is no longer applicable. This pleading supplements the joint pleading filed on March 22, 2006, which included a request for this Court's Standard Instructions: 1, 2B, 3-10, 12-14, 16, 17, 18D, 19, 20B, and attached specific offense instructions. Permission of the Court is requested to subsequently withdraw any of the attached instructions or to offer such additional instructions as may, during the course of the trial, become appropriate.

Counsel for Troiano has reviewed the attached joint instruction and has no objection.

A clean copy of said instructions is also included.

DATED: April 13, 2006, at Honolulu, Hawaii.

Respectfully submitted,

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Clare E. Connors
WES R. PORTER
CLARE E. CONNORS
Assistant U.S. Attorneys

/s/ Todd Eddins
TODD EDDINS
Attorney for JAMES TRIOANO

JOINT JURY INSTRUCTION NO. 9

4.3 OTHER CRIMES, WRONGS OR ACTS OF DEFENDANT

You have heard evidence of other crimes and acts engaged in by defendant Troiano, that is, evidence of a fingerprint found at the residence of John Klatt. You may consider that evidence only as it bears on the defendant's identity in this case and for no other purpose.

Ninth Circuit Instructions **4.3** (as modified)

CLEANSED COPY

INSTRUCTION NO. _____

You have heard evidence of other crimes and acts engaged in by defendant Troiano, that is, evidence of a fingerprint found at the residence of John Klatt. You may consider that evidence only as it bears on the defendant's identity in this case and for no other purpose.

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

Todd W. Eddins
eddins@eddinsdefense.com

April 13, 2006

Attorney for Defendant
JAMES TROIANO

DATED: April 13, 2006, at Honolulu, Hawaii.

/s/ Iris Tanaka